

13. EASEMENT OVER COUNCIL RESERVE AT MARQUESS AVENUE

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Corporate Plan Output: Consents (9.4.8)	

The purpose of this report is to request the Council's consent under section 48 of the Reserves Act 1977 to the creation of an easement over a reserve that will vest in the Council.

The request for the creation of the above easement has arisen as a consequence of a Mr Williams' subdivision at 371 Wigram Road, Christchurch. As part of that subdivision, Lot 101 (as shown on the attached plan) will vest in the Christchurch City Council as recreation reserve under the Reserves Act 1977.

The Subdivisions Unit advise that the proposed easement provides the most appropriate route for Orion's power cable.

Officers therefore recommend that a right to convey electric power in gross be granted over parcel F on the attached plan in favour of Orion New Zealand Limited.

The Council has previously not required compensation for easements granted over reserves when the creation of those easements is as a consequence of the land being vested in the Council as part of a subdivision. Officers consider that it would be inappropriate to require compensation on this occasion.

The Minister of Conservation's consent will also be required for the creation of the easements. This will be obtained prior to the easements being registered in the Land Transfer Office.

- Recommendation:**
1. That the Council consent, pursuant to section 48 of the Reserves Act 1997, to the creation of a registered right to convey electric power in gross over parcel F on the attached plan in favour of Orion New Zealand Limited.
 2. That the easement document record that all cables must be laid underground.
 3. That the Council resolve not to publicly notify the creation of the easement as:
 - (a) The reserve (Lot 101 on the attached plan) is not likely to be materially altered or permanently damaged by the creation of the easement; and
 - (b) The rights of the public in respect of the reserve are not likely to be permanently affected by the creation of the easement.

Chairman's Recommendation: That the above recommendation be adopted.